

Comhairle Chontae Atha Cliath Theas

PR/1465/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0368 **Application Date:** 26-Sep-2022
Submission Type: New Application **Registration Date:** 26-Sep-2022
Correspondence Name and Address: David Corbally 55, Ludford Drive, Ballinteer, Dublin 16
Proposed Development: Detached two and a half storey four bedroom house with vehicular access from Stocking Lane and all associated site works.
Location: Stocking Lane, Rathfarnham, Dublin 16
Applicant Name: Rosemount Properties Limited
Application Type: Permission

(EW)

Site Visit: 09/11/2022

Site Area: Stated as 0.04ha

Description of Site and Surroundings

The application site is on a triangular shaped site. To the south and adjacent site is 18 terraced houses that replaced Garretstown House under SD20A/0170. The site slopes upwards from Stocking Lane to the shared rear boundary wall of the Prospect View houses to the eastern side of the site.

The application site is located in the northern part of the site and consists of a boundary wall adjacent to Stocking Lane to the west, a boundary wall and vehicular entrance to the north that serves Prospect House and the rear boundary walls of Prospect View to the east.

Proposal

The application proposes the following:

- Detached two and a half storey four-bedroom house with
- vehicular access from Stocking Lane and all associated site works.

Zoning

The subject site is subject to zoning objective 'RES' - 'To protect and/or improve Residential Amenity'. Residential development is permitted in principle under land use zoning objective 'RES'.

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Consultations

Irish Water –	No objections subject to conditions
Surface Water Drainage –	Additional information
Roads Department –	Recommend refusal
Parks Department –	No objections subject to conditions

Submissions/Observations /Representations

No valid submissions received.

Relevant Planning History

SD20A/0193 - **Refused Permission** for Construction of

- Detached four-bedroom, two storey house with attic level accommodation
- Vehicular entrance from Stocking Lane and all associated site works and services.

REASON(S)

- 1. Given the topography of the site, the proximity of neighbouring residential properties and their private rear amenity space at a lower ground level to the east and the lack of information submitted in relation to site levels and the proposed dwelling, the planning authority is not satisfied on the basis of the information submitted that the proposal would not have an adverse impact on neighbouring residential amenity in terms of being overbearing. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.*
- 2. Given the topography of the site and the lack of information submitted in relation to site levels, accessibility, usability and quantity of private amenity space proposed, the planning authority is not satisfied on the basis of the information submitted that the proposal would provide a sufficient quality and quantity of useable private amenity space. The proposal would therefore be contrary to Policy H11 Residential Design and Layout and Policy H13 Private and Semi-Private Open Space of the South Dublin County Council Development Plan (2016-2022), to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and the proper planning and sustainable development of the area.*
- 3. Given the topography of the site, the proposed siting of the new dwelling in a visually prominent location adjacent to Stocking Lane and the lack of information submitted in relation to site levels, the planning authority is not satisfied on the basis of the information submitted that the proposal*

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would have an acceptable visual impact on the site and surrounding area. The proposal is therefore considered to be contrary to policy H16 of the South Dublin County Development Plan 2016-2022 and the proper planning and sustainable development of the area.

4. *Having regard to the location of the proposed vehicular access on Stocking Lane, the proximity of other vehicular entrances to the site and the ability of refuse collection and emergency vehicles to safely access the site without causing obstruction close to a bend, the proposed development would generate a traffic hazard and would endanger public safety. The proposal would therefore be contrary to the proper planning and sustainable development of the area.*
5. *Having regard to the lack of information submitted in relation to surface water attenuation and the topography of the site, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and therefore is considered to not be in the interests of the proper planning and sustainable development of the area.*

Adjacent site to the south-west

SD20A/0170 – Granted permission by SDCC and granted at appeal by ABP-309307-20

(i) Demolition of existing 2-storey dwelling, Garretstown House; (ii) Construction of 24 terraced houses, comprising 8 2-bedroom, 2 storey houses; 8 3-bedroom, 2 storey houses; and 8 4-bedroom, 2 storey houses with attic level accommodation; Vehicular and pedestrian access from Stocking Lane; Car parking, public open space, and all associated site works and services.

SD19A/0103 – Granted permission by SDCC and refused at appeal by ABP-305806-19

Demolition of 2 storey dwelling; construction of 21 three and four bedroom houses, comprising 16 semi-detached, 2 storey houses with attic level accommodation and 5 terraced, 2 storey houses; vehicular access from Stocking Lane; car parking; public open space and all associated site works and services.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded.

Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

Chapter 6 Housing

Section 6.8 Residential Consolidation in Urban Areas

Policy H9 Private and Semi-Private Open Space

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Policy H11 Privacy and Security

H11 Objective 2

To ensure that all developments are designed to provide street frontage and to maximise surveillance of streets and the public realm.

Policy H13 Residential Consolidation

H13 Objective 3

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.

H13 Objective 5

To ensure that new development in established areas does not unduly impact on the amenities or character of an area.

Chapter 7 Sustainable Movement

Section 7.10 Car Parking

Policy SM7 Car Parking and EV Charging

SM7 Objective 1 Maximum car parking standards

Chapter 8 Community Infrastructure and Open Space

Section 8.7.5 Quality of Public Open Space

Policy COS5 Objective 16

To ensure that parks and public open spaces are carefully designed as safe spaces, by implementing the following measures:

- Providing active frontages and maximising passive surveillance from adjacent housing and / or public thoroughfares;*
- Eliminating buildings which back-on or gable-front public open spaces;*
- Designing corner units with active frontage;*
- Encouraging increased use through improved access and quality of facilities';*
- Careful location, design and choice of surface materials and site furniture.*

Chapter 10 Energy

Section 10.2 Energy Measures

Policy E3 Energy Performance in Existing and New Buildings

Chapter 12 Implementation & Monitoring

Section 12.3 Natural, Cultural and Built Heritage

Section 12.3.1 Appropriate Assessment

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Section 12.3.3 Environmental Impact Assessment

Section 12.3.5 Landscape Character Assessment

- *Sites with Varying or Steep Topography Proposals*
 - *(including wastewater treatment systems and other infrastructural items associated with residential and agricultural proposals) on sites with a steep and / or varying topography should be accompanied by a comprehensive site analysis (including character appraisal and movement analysis), concept proposal and design statement as described and illustrated within the Urban Design Manual – A Best Practice Guide, DEHLG (2009). Such analysis should be accompanied by comprehensive site sections and plans detailing any proposed changes in site level and demonstrating how the proposal incorporates the natural slope and drainage features of the site. Proposals should ascend the contours of the site with unique design solutions such as lower density split level housing and sloping gardens with planted boundary treatments. Where changes in ground level between buildings are unavoidable, planted banks may be utilised.*

Section 12.6.7 Residential Standards

- *Separation Distances and Block Layout*
 - *All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces*
 - *Section 10 of the Urban Design Manual (2009) addresses privacy and amenity and sets out that rather than establishing a minimum window-to-window standard, the aim should be to assess the impact on privacy of each layout and home design based on:*
 - *The site's location and residents' expected levels of privacy*
 - *The size of the windows – both those overlooking and overlooked*
 - *Changes in level between overlooking windows*
 - *Ability to screen/partially obscure views through design in this regard and as a benchmark for development, a minimum clearance distance of circa 22 metres, in general, is required between opposing windows.*

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(i) Housing

Table 12.20 Minimum Standards for Housing

Chapter 3 Natural, Cultural and Built Heritage

Policy NCBH3 Natura 2000 Sites

NCBH3 Objective 3 (Appropriate Assessment)

Chapter 4 Green Infrastructure

Policy GII Overarching

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Policy GI2 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Policy GI4 Sustainable Drainage Systems

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Infill Sites

12.6.8 Residential Consolidation Infill Sites Development on infill sites should meet the following criteria: à Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual;

- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes.*
- *Larger sites will have more flexibility to define an independent character;*
- *While the minimum standards set will be sought in relation to refurbishment schemes it is recognised that this may not achieve a positive planning outcome, 482 SOUTH*

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DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028 Implementation and Monitoring (IM) particularly in relation to historic buildings, 'living over the shop' projects, and tight (less than 0.25 Hectares) urban centre infill developments. In order to allow for flexibility, the standards may be assessed on a case-by-case basis and if considered appropriate, reduced in part or a whole, subject to overall design quality in line with the guidelines

- *Sustainable Urban Housing: Design Standards for New Apartments, 2020;*
- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street;*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (See Chapter 5, Section 5.2.7 of this Chapter and Appendix 10: Building Height and Design Guide);*
- *Subject to appropriate safeguards to protect residential amenity, reduced public open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops;*
- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area;*
- *All residential consolidation proposals shall be guided by the quantitative performance approaches and recommendations under the 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' and / or any updated guidance;*
- *It should be ensured that residential amenity is not adversely impacted as a result of the proposed development;*
- *Delivery of Public Open Space and Contribution in Lieu shall be in accordance with the provisions set out under Section 8.7.4 of Chapter 8: Community Infrastructure and Open Space.*

Relevant Government Guidelines and Policy

Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

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Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Background and Context as noted from previous report SD20A/0193

As outlined in the planning history section of this report, application SD19A/0103 was refused at appeal. The proposal was for the construction of 25 dwellings with some sited in a similar location to the new dwelling proposed as part of this application. One of the reasons for refusal centred on the impact of the new dwellings on the existing dwellings to the east. Given the similarities in the location of the refused dwellings and the dwelling proposed as part of this application, the appeal decision is a material consideration.

Assessment

The main issues for assessment are as follows:

- Zoning and Council policy
- Residential Amenity
- Visual Amenity
- Services and Drainage
- Vehicular entrance, access and Parking
- Parks and Landscaping

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- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' The development of a dwelling is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 12.6.8 Residential Consolidation Infill Sites Development.

Overcoming Previous Reasons for Refusal

A similar type development was refused planning permission under SD20A/0193 for five separate reasons. The Planning Authority note insufficient changes from this subject proposal. The following is an assessment of these refusal reasons against the current proposal:

Refusal Reason 1

Given the topography of the site, the proximity of neighbouring residential properties and their private rear amenity space at a lower ground level to the east and the lack of information submitted in relation to site levels and the proposed dwelling, the planning authority is not satisfied on the basis of the information submitted that the proposal would not have an adverse impact on neighbouring residential amenity in terms of being overbearing. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

Assessment

The applicant has shown that a separation distance of 22 metres can be achieved between first floor windows. However, this does not take into account the changes in ground level on the site, with the application site sitting at a higher ground level. There are concerns about overlooking to the rear amenity space of the properties to the east and also the fact that the new dwelling would appear overbearing. The planning authority is not satisfied on the basis of the information submitted that the proposal would not have an adverse impact on neighbouring residential amenity in terms of being overbearing. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2022 - 2028 and the proper planning and sustainable development of the area.

It is considered that applicant has not overcome previous reasons for refusal under Reason 1 and should therefore be refused.

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Refusal Reason 2

Given the topography of the site and the lack of information submitted in relation to site levels, accessibility, usability and quantity of private amenity space proposed, the planning authority is not satisfied on the basis of the information submitted that the proposal would provide a sufficient quality and quantity of useable private amenity space. The proposal would therefore be contrary to Policy H11 Residential Design and Layout and Policy H13 Private and Semi-Private Open Space of the South Dublin County Council Development Plan (2016-2022), to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and the proper planning and sustainable development of the area.

Assessment

The Planning Authority deem that no change has been proposed since the previous application for refusal under SD20A/0193. Given the topography of the site and the lack of information submitted in relation to site levels, accessibility, usability and quantity of private amenity space proposed, the planning authority is not satisfied on the basis of the information submitted that the proposal would provide a sufficient quality and quantity of useable private amenity space. The open space provision is not of high standard or advantageous proximity to neighbouring properties in functionality.

It is considered that applicant has not overcome previous reasons for refusal under Reason 2 and should therefore be refused.

Refusal Reason 3

Given the topography of the site, the proposed siting of the new dwelling in a visually prominent location adjacent to Stocking Lane and the lack of information submitted in relation to site levels, the planning authority is not satisfied on the basis of the information submitted that the proposal would have an acceptable visual impact on the site and surrounding area. The proposal is therefore considered to be contrary to policy H16 of the South Dublin County Development Plan 2016-2022 and the proper planning and sustainable development of the area.

Assessment

The Planning Authority deem that no change has been proposed since the previous application for refusal under SD20A/0193. Given the topography of the site, the proposed siting of the new dwelling in a visually prominent location adjacent to Stocking Lane and the lack of information submitted in relation to site levels, the planning authority is not satisfied on the basis of the information submitted that the proposal would have an acceptable visual impact on the site and surrounding area. The proposal is therefore considered to be contrary to policy Section 12.3.5 Landscape Character Assessment 'Sites with Varying or Steep Topography Proposals' and Section 12.6.8 Residential Consolidation Infill Sites Development on infill sites 'It should be ensured that residential amenity is not adversely impacted as a result of the proposed

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development'.

It is considered that applicant has not overcome previous reasons for refusal under Reason 3 and should therefore be refused.

Refusal Reason 4

Having regard to the location of the proposed vehicular access on Stocking Lane, the proximity of other vehicular entrances to the site and the ability of refuse collection and emergency vehicles to safely access the site without causing obstruction close to a bend, the proposed development would generate a traffic hazard and would endanger public safety. The proposal would therefore be contrary to the proper planning and sustainable development of the area.

Assessment

A report was received from the Road Department and the following was stated:

A single dwelling on stocking lane. A new vehicle access point is proposed on to Stocking Lane. No car parking layout has been provided. The refuse collection is proposed through a pedestrian access to the south, there are no details for the pedestrian access or if the applicant has access to the neighbouring development. The boundary walls must be below 0.9m high and the visibility lines should be measured 2.4m from the road edge.

There is no footpath on this side of the Stocking Lane.

Roads recommend refusal on the grounds of generating a traffic hazard due to proliferation of multiple accesses at the proposed development.

1. Traffic hazard due to proliferation of multiple accesses at the proposed development.

2. Inappropriate location for vehicular access.

Having regard to the comments of the Roads Department, it is considered that applicant has not overcome previous reasons for refusal under Reason 4 and should therefore be refused.

Refusal Reason 5

Having regard to the lack of information submitted in relation to surface water attenuation and the topography of the site, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and therefore is considered to not be in the interests of the proper planning and sustainable development of the area.

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Assessment

A report was received from the Surface Water Drainage Department requesting additional information on and the following:

1.1 There is no report showing surface water attenuation calculations for proposed development. There is no report or drawing showing surface water attenuation required or provided.

1.1 Submit a report showing what attenuation is required in m³ and what is provided in m³. Surface water should first be provided by means of SuDS (Sustainable Drainage Systems) system. Only in instances where SuDS is insufficient shall alternative attenuation be considered.

1.2 Submit a drawing showing what attenuation is provided in m³. Show on drawing what SuDS are provided in plan and cross-sectional view.

Examples of SuDS include and this is not an exhaustive list:

- Permeable paving
- Green roofs
- Grasscrete
- Green area detention basins
- Filter drains
- Swales
- Water butts/ planter boxes
- Other such SuDS

Having regard to the lack of information submitted in relation to surface water attenuation and the topography of the site, the Planning Authority is not satisfied, on the basis of the information submitted, also noting previous refusal applications requiring that full drainage details and information be submitted regarding attenuation, it is considered that applicant has not overcome previous reasons for refusal under Reason 4 and should therefore be refused.

Conclusion on subject proposal with overcoming reasons for refusal.

The subject application does not take into account the changes in ground level on the site, with the application site sitting at a higher ground level. There are concerns about overlooking to the rear amenity space of the properties to the east and also the fact that the new dwelling would appear overbearing. Application SD20A/0193 was refused due to concerns with the proximity of adjoining residential properties in Prospect View and the fact that these properties are located at a lower ground level than the proposed development. Therefore, it is considered that there would be a significant impact on neighbouring residential amenity.

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As stated in the previous report; an additional information request would be used to seek clarity on the relationship between the proposed and existing dwellings, including information on ground levels and much more detailed sections. However, given the fact that there are other significant concerns that cannot be addressed by additional information, it is considered that the potential impact on the neighbouring residents would warrant a reason for **refusal** in this case. The applicant has failed to address this reason for refusal in the current application given the similar location of the building now proposed.

Visual Amenity

Generally, the overall design approach taken for the dwelling is considered acceptable and would respect the character of the adjoining properties and other properties in the street. However, the applicant has not provided any details of how the dwelling would appear in the context of the site. Given the significant change in levels in the site and the fact that the proposal may require engineering solutions, there are concerns that the dwelling would appear visually prominent in the context of the site, particularly when the dwelling would be quite close to the road. Generally, clarification on the contours of the site, ground levels proposed, detailed sections and details of the volume of materials to be extracted could be sought by additional information. However, given the other significant concerns with the proposal and the lack of information submitted in support of the application, it is considered that in this case the visual impact of the proposal would warrant a reason for **refusal**.

Services and Drainage

The comments of the Water Services Section are noted, and under normal circumstances if there were no grounds for refusal on other matters additional information would be sought. However, in the absence of this information the planning authority is not satisfied that the proposal would not give rise to surface water issues in the area which would warrant a reason for **refusal** in this case.

Water Services has no objection in relation to flooding subject to standard conditions.

Irish Water has no objections subject to standard conditions.

Access and Parking

The Roads Department has assessed the proposal and provided the following comments:

A single dwelling on stocking lane. A new vehicle access point is proposed on to Stocking Lane. No car parking layout has been provided. The refuse collection is proposed through a pedestrian access to the south, there are no details for the pedestrian access or if the applicant has access to the neighbouring development. The

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boundary walls must be below 0.9m high and the visibility lines should be measured 2.4m from the road edge.

There is no footpath on this side of the Stocking Lane.

Roads recommend refusal on the grounds of generating a traffic hazard due to proliferation of multiple accesses at the proposed development.

1. Traffic hazard due to proliferation of multiple accesses at the proposed development.

2. Inappropriate location for vehicular access.

The concerns raised by the Roads Department are noted. It is noted that the applicant has not provided any information on the proposed vehicular access to the site or demonstrated that the proposal would be safe from a road traffic perspective. The site is located in close proximity to a bend in the road and a bus stop. The applicant has not provided any details in terms of sightlines or provided information on the existing boundary treatment and whether this would impede views. The planning authority therefore has significant concerns based on the site characteristics and comments from the Roads Department that would warrant a reason for **refusal** in this case.

Parks and Landscaping

The Parks Department comments and suggested conditions regarding the submission of a landscaping plan and details of boundary treatment are noted. The lack of information in relation to landscaping is not considered significant enough to warrant a reason for refusal in this case.

Green Infrastructure

No Green Infrastructure plan and details of boundary treatment are noted. The lack of information in relation to Green Infrastructure is not considered significant enough to warrant a reason for refusal in this case.

Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura sites, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 AA is not required.

Environmental Impact Assessment

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Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Conclusion

Having regard to the previous reasons for refusal not being fully overcome, the location and the design of the proposal, where the access arrangements are not acceptable to the Roads Section and would give rise to road safety issues, having regard to the lack of information regarding levels of the site, cross-sectional drawings, the proposed development would seriously injure the amenities of the area and set an undesirable precedent for other similar developments. Overall, there are concerns with the impact of the proposal on existing properties to the east. It is considered that the subject application has not addressed a reason for refusal or given sufficient consideration to the topography of the site and the lack of information in relation to surface water. It is considered that the proposal is contrary to the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

SCHEDULE

REASON(S)

1. Given the topography of the site, the proximity of neighbouring residential properties and their private rear amenity space at a lower ground level to the east and the lack of information submitted in relation to site levels and the proposed dwelling, the planning authority is not satisfied on the basis of the information submitted that the proposal would not have an adverse impact on neighbouring residential amenity in terms of being overbearing. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2022 – 2028 and the proper planning and sustainable development of the area.
2. Given the topography of the site and the lack of information submitted in relation to site levels, accessibility, usability and quantity of private amenity space proposed, the planning authority is not satisfied on the basis of the information submitted that the proposal would provide a sufficient quality and quantity of useable private amenity space.

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The proposal would therefore be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and the proper planning and sustainable development of the area.

3. Given the topography of the site, the proposed siting of the new dwelling in a visually prominent location adjacent to Stocking Lane and the lack of information submitted in relation to site levels, the planning authority is not satisfied on the basis of the information submitted that the proposal would have an acceptable visual impact on the site and surrounding area. The proposal is therefore considered to be contrary to policy Section 12.3.5 Landscape Character Assessment 'Sites with Varying or Steep Topography Proposals' and Section 12.6.8 Residential Consolidation Infill Sites Development on infill sites 'It should be ensured that residential amenity is not adversely impacted as a result of the proposed development'.
4. Having regard to the inappropriate location proposed, vehicular access on Stocking Lane, and the ability of refuse collection and generating a traffic hazard due to proliferation of multiple accesses at the proposed development.

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REG. REF. SD22A/0368

LOCATION: Stocking Lane, Rathfarnham, Dublin 16



Deirdre Kirwan,
Senior Executive Planner.

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date: 21/11/22


Gormla O'Corrain,
Senior Planner